

**PATENT COOPERATION TREATY**

From the:  
INTERNATIONAL SEARCHING AUTHORITY

To:

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**PCT**

**WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY**

(PCT Rule 43bis.1)

		Date of mailing (day/month/year) <b>1 NOV 2004</b>
Applicant's or agent's file reference <b>P23754AAL:KG</b>		<b>FOR FURTHER ACTION</b> See paragraph 2 below
International application No. <b>PCT/AU2004/001345</b>	International filing date (day/month/year) <b>1 October 2004</b>	Priority date (day/month/year) <b>3 October 2003</b>
International Patent Classification (IPC) or both national classification and IPC <b>Int. Cl. 7 F16B 2/10; B25B 5/04, 5/10; F16M 13/02</b>		
Applicant <b>MICRONIX PTY LTD et al</b>		

**1. This opinion contains indications relating to the following items:**

<input checked="" type="checkbox"/>	<b>Box No. I</b>	<b>Basis of the opinion</b>
<input type="checkbox"/>	<b>Box No. II</b>	<b>Priority</b>
<input type="checkbox"/>	<b>Box No. III</b>	<b>Non-establishment of opinion with regard to novelty, inventive step and industrial applicability</b>
<input type="checkbox"/>	<b>Box No. IV</b>	<b>Lack of unity of invention</b>
<input checked="" type="checkbox"/>	<b>Box No. V</b>	<b>Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</b>
<input type="checkbox"/>	<b>Box No. VI</b>	<b>Certain documents cited</b>
<input type="checkbox"/>	<b>Box No. VII</b>	<b>Certain defects in the international application</b>
<input type="checkbox"/>	<b>Box No. VIII</b>	<b>Certain observations on the international application</b>

**2. FURTHER ACTION**

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

**3. For further details, see notes to Form PCT/ISA/220.**

Name and mailing address of the IPEA/AU <b>AUSTRALIAN PATENT OFFICE PO BOX 200, WODEN ACT 2606, AUSTRALIA E-mail address: pct@ipaustralia.gov.au Facsimile No. (02) 6285 3929</b>	Authorized Officer <b>JEFFREY CARL</b> Telephone No. (02) 6283 2543
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WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/AU2004/001345

Box No. I Basis of the opinion

1. With regard to the language, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.  
 This opinion has been established on the basis of a translation from the original language into the following language , which is the language of a translation furnished for the purposes of international search (under Rules 12.3 and 23.1(b)).
2. With regard to any nucleotide and/or amino acid sequence disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
  - a. type of material  
 a sequence listing  
 table(s) related to the sequence listing
  - b. format of material  
 in written format  
 in computer readable form
  - c. time of filing/furnishing  
 contained in the international application as filed.  
 filed together with the international application in computer readable form.  
 furnished subsequently to this Authority for the purposes of search.
3.  In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
4. Additional comments:

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**WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY**

International application No.

PCT/AU2004/001345

**Box No. V      Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**

**1. Statement**

Novelty (N)	Claims 12	YES
	Claims 1-11, 13	NO
Inventive step (IS)	Claims 12	YES
	Claims 1-11, 13	NO
Industrial applicability (IA)	Claims 1-13	YES
	Claims	NO

**2. Citations and explanations:**

The following documents identified in the International Search Report have been considered for the purposes of this opinion:

(i)      US 998248	(iv)     US 457997
(ii)     US 5334354	(v)      US 311487
(iii)    US 703326	

**Novelty (N) and Inventive Step (IS) Claims 1-11, 13**

Claim 1: All of the features defined in this claim are explicitly disclosed in each of citations (i)-(v). For example, in citation (i), there is disclosed a hand vise or clamp including two opposed jaws (1, 2) pivotally joined by pin (7) at one end. Spring (30) biases the free ends of jaws (1, 2) apart and threaded rod (17) is pivotally mounted to one jaw and passes through the other jaw. Thumb nut (21) screws onto one end of rod (17) and adjusts the separation of the jaws against the bias of spring (30).

Claims 2-11, 13: The minor features added by each of these claims are also explicitly disclosed in one or more of citations (i)-(v).

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